

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:)	Case No.: 24-43233-357
)	Chapter 11
URBAN CHESTNUT BREWING)	
COMPANY INC.,)	Hearing Date: September 27, 2024
)	Hearing Time: 10:00 a.m.
)	
Debtor.)	Related to Doc. 15

SECOND INTERIM ORDER AUTHORIZING PAYMENT OF
PRE-PETITION CLAIMS OF CRITICAL VENDORS

This matter having come before the Court upon the Motion for Order Authorizing Payment of Pre-Petition Claims of Critical (the “**Motion**”) filed by Debtor Urban Chestnut Brewing Company Inc. (the “**Debtor**”), and the Interim Order Authorizing Payment of Pre-Petition Claims of Critical Vendors, the Court finds and concludes as follows:

1. The Court has jurisdiction over the Motion and issues raised therein pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A) and (M).
2. The Debtor represents that appropriate notice of the hearing on the Motion was provided to creditors and parties in interest as required under Rule 4001(b)(3) of the Federal Rules of Bankruptcy Procedure.
3. On September 6, 2024, (the “**Petition Date**”), Debtor filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code (11 U.S.C. § 101 et seq.).
4. Debtor is a debtor-in-possession pursuant to Sections 1107 and 1108 of the Bankruptcy Code. An Official Committee of Unsecured Creditors (the “**Committee**”) has been appointed in this case.
5. The Committee has filed an objection to the Motion. The Debtor and Committee announced a resolution of the objection as set forth in this Order.

6. Debtor's continued payment of pre-petition claims of certain critical vendors listed on the attached Exhibit A ("Critical Vendors") will benefit the Debtor's anticipated going concern sale of assets and preserve the enterprise value of the Debtor's business.

Upon the statements made on the record, and upon careful review of the record in this case, IT IS HEREBY ORDERED THAT:

- A. The Motion (Doc. 15) is **GRANTED** on an interim basis.
- B. The Debtor is granted authority, on an interim basis, to pay pre-petition amounts owed to Critical Vendors to the extent that such payments are necessary on a post-petition basis to ensure that the vendor continues to provide its necessary goods or services, up to an aggregate maximum amount, from the Petition Date, of \$127,500.00.
- C. The Debtor will only make payments after determining that such payment is necessary to preserve the value of the Estate.
- D. The Debtor shall notify counsel for the Committee twenty-four (24) hours prior to payment of pre-petition amounts to Critical Vendors pursuant to the terms of this Order. If the Committee objects to the payment proposed by Debtor and the parties are unable to resolve the objection, they shall contact the Court to set the dispute for an expedited hearing.
- E. Further hearing on the Motion will be held on **October 10, 2024** at **10:00 a.m.**, in Courtroom **5 North** in the United States Bankruptcy Court for the Eastern District of Missouri, 111 South 10th Street, St. Louis, Missouri 63102.
- F. Any additional objections to the Motion shall be filed with the Court and served by e-mail upon Spencer P. Desai, Desai Law Firm, LLC at 13321 North Outer Forty Rd, Suite 300, St. Louis, MO 63105 (e-mail: spd@desailawfirmllc.com); David Going and Bruce LeMoine, Armstrong Teasdale LLP, 7700 Forsyth Blvd., Suite 1800, St. Louis, MO 63105 (email:

dgoing@atllp.com and blemoine@atllp.com); Joshua A. Jones, 111 South 10th Street, Suite 20.333, St. Louis, MO 63102 (email: Joshua.M.Jones@usdoj.gov); Eric C. Peterson, Spencer Fane, 1 North Brentwood Blvd., Suite 1200, St. Louis, MO 63105 (email: epeterson@spencerfane.com); John J. Hall, Lewis Rice LLC, 600 Washington Ave., Suite 2500, St. Louis, MO 63101 (email: jhall@lewisrice.com); Joseph Schlotzhauer, Office of the US Trustee, 111 South 10th Street, Suite 6.353, St. Louis, MO 63102 (email: joseph.schlotzhauer@usdoj.gov); and any party who has requested notice.

G. No later than two (2) business days after the date of this order, the Debtor shall serve a copy of this order on all parties entitled to receive service in the above-referenced bankruptcy case and shall file a certificate of service compliant with Local Rule 9004(D) no later than twenty-four (24) hours after service.

Dated: September 30, 2024
St. Louis, Missouri
cjs



Brian C. Walsh
United States Bankruptcy Judge

Order Prepared by:

Spencer P. Desai, Esq.
Desai Law Firm LLC.
13321 North Outer Forty Rd, Suite 300
St. Louis, Missouri 63017
(314) 666-9781
ATTORNEYS FOR DEBTOR

EXHIBIT A

Urban Chestnut Brewing Company, Inc.

A/P Aging Summary

As of September 25, 2024

Approved Critical Vendors

Critical V

	Current	1 - 30	31 - 60	61 - 90	91 and over	Total	Current	Past Due	Vendor ServicesNotes	9-Sep	13-Sep
Berlin Packaging		22,938.85		-4,049.74		18,889.11	18,889.11		Custom Bottles		
BevPak	6,130.63	42,994.24	7,120.25			56,245.12	6,130.63	50,114.49	Custom Cans		4604.98
Bono Burns Distributing	353.49	5,541.04			-65.92	5,828.61	353.49	5,475.12	Malt		
Boxes Inc.	2,453.40	7,800.00				10,253.40	2,453.40	7,800.00	Custom Boxes		
Briess Malt		20,160.00				20,160.00	0.00	20,160.00	Malt Contract		
Cee Kay Supply	4,675.97	1,264.96			2,543.00	8,483.93	4,675.97	3,807.96	CO2 and other gases		1699.1
ChemStation		1,418.60				1,418.60	0.00	1,418.60	Boiler Chemicals		1545.4
Florian Seitz					11,342.94	11,342.94	0.00	11,342.94	Hops		
Happy Apple Company						0.00			Apple Juice for Cider		
Harris Technologies	4,763.82					4,763.82	4,763.82	0.00	Custom Labels		
Heartland Industries	3,591.00					3,591.00	3,591.00	0.00	Packaging Fulfillment		
Innovation Mechanical	1,790.00				3,630.00	5,420.00	1,790.00	3,630.00	Mechanical Contractor		
Kaeser Compressor			3,206.15			3,206.15	0.00	3,206.15	Custom Air Compressor Service & Parts		
Landsberg	15,247.66	14,653.73	10,135.60			40,036.99	15,247.66	24,789.33	Custom Lids		
Pro Engineering and Manufacturing		2,806.77				2,806.77	0.00	2,806.77	Custom Seals		
Quest Graphics	10,074.00					10,074.00	10,074.00	0.00	Custom Packaging	2600	
S.S. Steiner, Inc.	6,057.65	0.00				6,057.65	6,057.65	0.00	Hops		
Freigeist			4,503.48		2,468.75	6,972.23			1 or 2 depends on philosophy		
St Louis Health Dept	275.00					275.00	275.00	0.00	Health Permit		
Stealth Creative	1,140.00					1,140.00	1,140.00	0.00	Custom Creative		380
TOTAL							\$ 75,441.73	\$ 134,551.36		2600	8229.48

endor Payments from 9/6 - 9/25

<u>18-Sep</u>	<u>20-Sep</u>	<u>9/23</u>	<u>Total CV</u>	<u>pay Week</u>	<u>like to</u>	<u>like to pay</u>	<u>day Total</u>	<u>to 9/6</u>	<u>Notes</u>
			0				0		Due to CV \$\$ limit had to purchase \$18,889.11 COD
8038.3			12643.28	7120.25	7579.28	7120.26	14699.54		
6725.88			6725.88				0		
3000			3000		2453.4	3900	6353.4		
			0				0		Due to CV \$\$ limit had to purchase
	2161.51		3860.61	1264.96	1679.02	1111.56	2790.58	23621.2	\$22,942.20 COD
		6394.5	7939.9		1418.6		1418.6		to COD and had to
			0				0		
		5000	5000				0		
8954.62			8954.62		4763.82		4763.82		
		3719.25	3719.25		3591		3591	699.2	
			0		3630		3630		
			0			3206.15	3206.15		
			0		6908.66	10141.6	17050.26		
			0			2806.77	2806.77		
			2600		3358		3358		
			0				0		
			0		2468.75		2468.75		
	275		275				0		
	470		850	Total		1140	1140		
26718.8	2906.51	15113.75	55568.54	63953.75	37850.53	29426.34	67276.87	24320.4	